COURT FEE 5 RS INDIA FIVE RUPEES

SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH
AT BILASPUR

M.C.C. No. 389 /2007

Applicant

Santosh Kumar Yadav
S/o Mahru Ram Yadav
Aged about 27 years
R/o Lakhenagar Dhal
Tudrapariya Travels
Lakhenagar
Chowk, Tahsil & District
Raipur (C.G.) (Owner of the
Vehicle)

Versus

Respondents

1) Smt. Vasugi Sahu
W/o Late Loknath Sahu
Aged about 38 years,
R/o Shivnagar Raipur,
Tahsil & District Raipur
(C.G.)

2) Krishna kumar Kadra
S/o Bishakhu Ram Kadra
Aged about 27 years
C/o Through : Santosh
Kumar Yadav S/o Mahru
Ram Yadav, Lakhjenagar
Dhal Ruddrapria Travels
Lakhe Nagar Chowk, Tahsil
& District Raipur (C.G.)
(Driver of the Vehicle)

3) The Oriential Insurance
Company
Through: Divisional
Manager Divisional Office,
Kachhari Chowk, Madina
Building, Jail Road, Tahsil
& District Raipur (C.G.)
(Insurer of the Vehicle)

R.R. No. 2729/07
Presented by Shri Anil Gupta
Dated 5/9/07

OATH COMMISSIONER
APARNA MALVIYA
CG-2073/96
Bilaspur Chhattisgarh

APPLICATION FOR RESTORATION OF THE
MISCELLANEOUS APPEAL (CLAIM)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ, बिलासपुर

आदेश पत्रक

मामला क्रमांक MCC 389/07 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

5.10.2007

Mr. Vivek Rathore, Advocate for the applicant.

Heard on I.A. No.1, an application for condonation of delay in filing the petition for restoration of M.A. [c] No.756/07, as the same has been preferred with a delay of 41 days.

Reasons assigned for filing this restoration application with delay is the illness of the appellant.

For the reasons indicated in the application, the same is allowed and the delay is condoned.

Also heard on M.C.C. No.389/07, an application for restoration of M.A. [c] No.756/07.

This Court vide order dated 20.6.2007 had passed a preemptory order that if the appellant does not file the deposit receipt of the awarded amount, as per Section 173 of the Motor Vehicles Act, 1988, within a period of one week, the appeal shall be dismissed and accordingly on default of the appellant in filing the receipt in stipulated period, the appeal was treated dismissed for non-compliance of the preemptory order dated 20.6.2007 on 3.7.2007.

Since the appellant has now deposited the receipt of the award amount, the M.C.C. is allowed and the miscellaneous appeal is restored to its original number subject to appellant's depositing a sum of Rs.500/- with the High Court Legal Aid Committee within a period of 15 days and files the receipt of the same in the matter.

Sd/-
Dhirendra Mishra
Judge